IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH

AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE THIRTIETH DAY OF AUGUST

TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR. JUSTICE V.V.S.RAO

WRIT PETITION NO.3081 OF 2004

Between:

Avatar Meher Baba Asramam

Charitable Trust, Siricilla

Rep. by its Chairman Gajabhinkar Narayana

S/o.Rajaiah, R/o.H.No.5-6-93/1, Market area

Gandhinagar, Siricilla, Karimnagar District

...PETITIONER

And

1. The District Collector,

Karimnagar District, Karimnagar

2. The Mandal Revenue Officer,

Vemulawada Mandal, Karimnagar District.

...RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court will be pleased to

issue a Writ, order or direction one in the nature of Mandamus directing the respondents to consider the proposal for alienation/assignment of land bearing Sy.No.4 to an extent of Ac.8.35 gts at Thetekunta Village as per proceedings bearing Lr.No.E1/4252/99 dated 13.9.1999.

Counsel for the Petitioner: MR. K.GOVIND

Counsel for the Respondents: Assistant G.P. for Revenue (General)

The Court made the following:

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION NO.3081 OF 2004

ORDER:

The Writ Petition is filed seeking a Writ of Mandamus directing the respondents to consider the proposal for alienation/assignment of land in S.No.4 admeasuring Ac.8.35guntas at Thetekunta Village, Karimanagar District, as per the proceedings bearing Lr.No.E1/4252/99, dt.13.9.1999.

It is the case of the petitioner that the revenue officials have put the petitioner in possession of the land admeasuring Ac.8.35 guntas in S.No.4 of Thetekunta Village

in Karimnagar District, that they have been in occupation of the land and that the Mandal Revenue Officer has initiated proposals for assigning the land to third parties without considering the application made by the petitioner for assignment of the land to petitioner. It is also the case of the petitioner that after considering application of petitioner, the District Collector has directed the Mandal Revenue Officer, by letter dt.13.9.1999 to send alienation proposals in respect of the land in favour of the petitioner, in vain. Hence, the Writ Petition.

This Court admitted the Writ Petition on 20.2.2004 and ordered *status quo*. The respondents have moved an application to vacate the interim order of *status quo*. Though interlocutory applications are listed, with the consent of the learned counsel for the petitioner and the learned Assistant Government Pleader for Revenue (General), the Writ Petition itself is heard finally and is being disposed of.

In the counter affidavit filed along with W.V.M.P. it is not denied that petitioner is in possession of the property and it is also not denied that petitioner's application for alienation of the land is pending before the revenue authorities. It would be in the interest of petitioner as well as respondents to pass final orders on the application made by the petitioner.

Accordingly, the Writ Petition is disposed of directing the first respondent, District Collector, Karimanagar to consider the application of the petitioner for alienation of the land expeditiously within a period of eight weeks from the date of receipt of a copy of this order. It is also made clear that it shall also be open to the first respondent offer some other land, if it is not possible to alienate the land in S.No.4 of Thetekunta Village. Till the proposals are considered as directed herein above, the respondents shall not disturb the possession of the petitioenr nor petitioner make any further construction.

The Writ Petition, with the above observations and directions, is disposed of. No costs.

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(V.V.S.RAO, J)

30.8.2004

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To

1. The District Collector,

Karimnagar District, Karimnagar

2. The Mandal Revenue Officer,

Vemulawada Mandal, Karimnagar District.

3. 2 CCs to G.P. for Revenue, High Court Bldgs., Hyderabad (OUT)

4. 2 CD copies.